

08/28/01  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. A-69605-1/DJB/RMS/DCF

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NUMBER EL 758643127 US  
DATE OF DEPOSIT August 27, 2001

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO: ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231.  
TYPED NAME DAVID C. FOSTER

SIGNED

Anticipated Classification of this Application:

Class: Unknown Subclass: Unknown

Application

Examiner: Unknown

Art Unit: Unknown

**Box PATENT APPLICATION**

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

This is a request for filing an

- ☒ Original  
☐ Continuation  
☐ Divisional  
☐ Continuation-in-part

application under 37 C.F.R. 1.53(b), in the name of

Kevin Gunderson and Mark Chee

(Names of ALL Applicants)

for **PROBES AND DECODER OLIGONUCLEOTIDES**  
(Title of Invention)

This application ☐ continuation ☐ divisional ☐ continuation-in-part

claims the benefit of U.S.S.N.s 60/227,948, filed August 25, 2000 and 60/228,854, filed August 29, 2001.

1. (a) ☒ Enclosed is a new application.  
(b) ☐ Enclosed is a continuation-in-part application.  
(c) ☐ Enclosed is a copy of the prior application.
2. (a) ☐ Enclosed is a new Declaration.  
(b) ☐ Enclosed is a copy of the prior Declaration as originally filed.
3. (a) ☒ Applicant claims Small Entity status under 37 CFR 1.27.  
(b) ☐ A Small Entity Affidavit is of record in the prior application.
4. ☐ The filing fee is calculated below:

Claims as filed in the prior application, less any claims canceled by amendment below:

	(Col. 1) NO. FILED	(Col. 2) NO. EXTRA	SMALL ENTITY		OTHER THAN SMALL ENTITY	
			RATE	FEE	RATE	FEE
<b>BASIC FEE</b>				<b>\$355</b>		<b>\$710</b>
TOTAL CLAIMS	<u>    </u> - 20 =	*	x 9 =	\$	x 18 =	\$
INDEP CLAIMS	<u>    </u> - 3 =	*	x 40 =	\$	x 80 =	\$
MULTIPLE DEPENDENT CLAIM PRESENTED	<u>    </u> yes <u>    </u> no		+135 =	\$	+270 =	\$
If the difference in Col 1 is less than zero, enter "0" in Col. 2			TOTAL	\$	TOTAL	\$

5. ☒ The Commissioner is **NOT** authorized to charge any additional fees which may be required, including extra fees, or credit any overpayment to Deposit Account No. 06-1300.
6. ☐ Our check in the amount of \$\_\_\_\_\_ is enclosed.  
☐ The filing fee is NOT being submitted with this transmittal letter.
7. ☐ Cancel in this application original claims \_\_\_\_\_ of the prior application before calculating the filing fee. (At least one independent claim must be retained for filing purposes.)
8. ☐ Amend the specification by inserting before the first line the sentence:  
 --This is a ☐ continuation ☐ divisional ☐ continuation-in-part  
 of application Serial No. \_\_\_\_\_ filed \_\_\_\_\_.
9. (a) ☒ Informal drawings are enclosed.  
 (b) ☐ Formal drawings are enclosed.
10. (a) ☒ Priority of application Serial No. 60/227,948, filed August 25, 2000 and 60/228,854, filed August 29, 2001, is claimed under 35 U.S.C. 119/120.  
 (b) ☐ The certified copy has been filed in prior application Serial No. \_\_\_\_\_ filed on \_\_\_\_\_.

11. ☐ The prior application is assigned of record to \_\_\_\_\_

12. ☐ The power of attorney in the prior application is to:

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

- (a) ☐ The power appears in the original papers in the prior application.  
 (b) ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.  
 (c) ☐ A new power has been executed and is enclosed.  
 (d) ☒ Address all future communications to:

FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP  
 Four Embarcadero Center - Suite 3400  
 San Francisco, California 94111-4187  
 Tel.: (415) 781-1989  
 Fax: (415) 398-3249

13. ☐ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

14. ☐ I hereby verify that the attached papers are a true duplicate of prior application Serial No. \_\_\_\_\_ as originally filed on \_\_\_\_\_.

Date: August 27, 2001

Signature: 

David C. Foster, Reg. No. 44,685

Address of Signer:

FLEHR HOHBACH TEST  
 ALBRITTON & HERBERT LLP  
 4 Embarcadero Center - Suite 3400  
 San Francisco, California 94111-4187  
 Tel.: (415) 781-1989  
 Fax: (415) 398-3249

☐ Attorney or agent of record

☒ Filed under Section 1.34(a)

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